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February 1, 2005

Ms. Marlene H. Dortch
 Office of the Secretary
 Federal Communications Commission
 445 12th Street, S.W., TW-A325
 Washington, D.C. 20554

David Honig, Executive Director
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Re: CS Docket No. 98-120

ORIGINAL

Dear Ms. Dortch:

This afternoon from 4:30 to 5:45 PM, I met with Chairman Michael Powell and Jonathan Cody, Legal Assistant to Chairman Powell, on the subject of digital must-carry. I contended that changed circumstances since 2002 militate in favor of a brief additional and expedited comment period to update the record, in particular: (1) Congress' intention to set a date certain for the transition to supplant the 85% benchmark and (2) uncertainty about whether Congress will adopt and the White House will support a voucher program. These factors could leave the poor with little ability to afford DTV receivers and little incentive to buy new receivers and thus become early adopters and expedite the ultimate transition date (due to the absence of new, minority-themed multicast channels that can be financed without the cable backbone to support these new services).

We also discussed whether the order could express its conclusions in a manner that would minimize the potential construction by Congress of the Commission's decision as constituting a rebuttal presumption against must-carry, and whether the order could acknowledge the importance of continuing to include the poor in our system of universal television service and express the hope that Congress will focus on this often-neglected problem.

Pursuant to Section 1.1206(b)(2) of the Commission's Rules, an original and one copy of this letter have been submitted to the Office of the Secretary, and a PDF version of the letter has been sent by electronic mail to the Commission personnel who participated in the meeting.

Sincerely,

David Honig

David Honig
 Executive Director

cc: Hon. Michael Powell
 Jonathan Cody, Esq.
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